

AMENDED IN ASSEMBLY SEPTEMBER 7, 2007

AMENDED IN ASSEMBLY AUGUST 31, 2007

AMENDED IN ASSEMBLY JULY 17, 2007

AMENDED IN SENATE APRIL 26, 2007

AMENDED IN SENATE APRIL 9, 2007

SENATE BILL

No. 219

Introduced by Senators Steinberg and Romero

February 9, 2007

An act to add Section 52052.1 to the Education Code, relating to pupil achievement.

LEGISLATIVE COUNSEL'S DIGEST

SB 219, as amended, Steinberg. Pupil achievement: Academic Performance Index: alternative education.

Existing law requires the Superintendent of Public Instruction, with approval of the State Board of Education, to develop the Academic Performance Index (API) consisting of a variety of indicators currently reported to the State Department of Education to track the achievement of schools and their pupils. Statutory provisions establish a specific calculation for graduation rates to be included within the API and require the Superintendent to provide an annual report to the Legislature on graduation and dropout rates in California. The Superintendent is required to establish an advisory committee to advise the Superintendent and the state board on all matters relative to the creation of the API and implementation of the Immediate Intervention/Underperforming Schools Program and the High Achieving/Improving Schools Program.

This bill, beginning July 1, 2011, would require that the API include additional information regarding test scores *and other accountability data* of pupils who were referred by the school or school district of residence to an alternative education program and school and school district dropout rates. The bill would require the advisory committee to ~~determine~~ *recommend to the Superintendent and the state board* certain matters relative to the assignment of the accountability data on pupils in alternative education programs. The requirements imposed by the bill would become operative only if local educational agencies receive a per pupil allocation prior to the 2010–11 fiscal year for implementation of the California Longitudinal Pupil Achievement Data System.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. (a) The Legislature finds and declares all of the
2 following:
- 3 (1) The high number of children leaving school without
4 completing their high school education poses a serious threat to
5 children, their families, schools, and communities, and the
6 competitiveness and well-being of the California economy. The
7 potential adverse impacts of the high school dropout crisis include
8 a strain on the social welfare system and a shortage of well
9 educated Californians to fuel the 21st century economy.
- 10 (2) New research suggests that fewer than 70 percent of 9th
11 graders in California, and fewer than 50 percent of 9th graders in
12 some school districts, graduate from high school. More than
13 150,000 California high school pupils may be leaving high school
14 each year without a diploma.
- 15 (3) If the dropout crisis is left unchecked, demographic trends
16 suggest that the rate of future dropouts will increase. Latinos are
17 more than twice as likely as whites to leave school before
18 graduation. The Department of Finance estimates that the public
19 school enrollment of Latinos will increase by 18 percent in the
20 next 10 years. The Public Policy Institute of California predicts
21 there will be twice as many high school dropouts in California in
22 2025 as there will be jobs to support them.

1 (4) The high school dropout crisis will have detrimental effects
2 on some of the largest industries in California, including computer
3 technology and software engineering, health care, manufacturing,
4 biotechnology, the building and automotive trades, entertainment,
5 and other sectors that rely on an adequately educated workforce
6 with a minimum of a high school education.

7 (5) Dropouts impose substantial social costs on the state. They
8 are less likely than high school graduates to be employed. The jobs
9 they do find pay substantially lower wages. As a result, dropouts
10 pay lower taxes and are more likely to require public welfare
11 support. Dropouts also have poorer health and are more likely to
12 require public health support.

13 (6) Dropouts are more likely to commit crimes and become
14 incarcerated. More than 80 percent of the prisoners in California
15 in 2005 did not graduate from high school. In 2006, each inmate
16 cost California taxpayers an average of thirty-four thousand one
17 hundred fifty dollars (\$34,150), according to the Department of
18 Corrections and Rehabilitation.

19 (7) Families and communities play an important role in keeping
20 children on track toward high school graduation. However, schools
21 are responsible for creating programs that engage children of
22 different backgrounds, interests, and skill levels, and for keeping
23 a close watch on truancy, course failure, and behavior problems
24 that are the markers of a pupil at risk for dropping out of school.

25 (b) It is the intent of the Legislature in enacting this act to reflect
26 the public's fundamental expectation that public schools engage
27 pupils, keep them on track for graduation, and prepare them for
28 success after high school in college or immediate entry into a
29 career.

30 SEC. 2. Section 52052.1 is added to the Education Code, to
31 read:

32 52052.1. (a) Beginning July 1, 2011, in addition to the test
33 scores specified in subparagraph (B) of paragraph (4) of subdivision
34 (a) of Section 52052, the Academic Performance Index (API) for
35 a school or school district shall do all of the following:

36 (1) Include the test scores and other accountability data of
37 enrolled pupils who were referred by the school or school district
38 of residence to an alternative education program, including
39 community, community day, and continuation high schools and
40 independent study, and be calculated by assigning all accountability

1 data on pupils in alternative education programs, including
2 community, community day, and continuation high schools and
3 independent study, to the school and school district of residence
4 to ensure that placement decisions are in the best interests of
5 affected pupils. If a pupil is referred to an alternative education
6 program by a juvenile court judge or other correctional or judicial
7 official, *or if the pupil is expelled pursuant to subdivision (a), (b),*
8 *or (c) of Section 48915,* the test scores of that pupil shall remain
9 with the alternative education program and with the school district
10 or county office of education serving that pupil. This section does
11 not prohibit the alternative education program from counting the
12 test scores of those pupils served in their alternative education
13 program. It is the intent of the Legislature that these alternative
14 education programs remain accountable to the pupils they serve.

15 (2) Exclude the test scores or other data of those pupils exempt
16 pursuant to federal statute or federal regulation.

17 (3) Include school and school district dropout rates for pupils
18 who drop out of school while enrolled in grade 8 or 9. If reliable
19 data is not available by July 1, 2011, the Superintendent, on or
20 before that date, shall report to the Legislature the reasons for the
21 delay and date he or she anticipates the specified dropout rates
22 will be included in the API.

23 (b) The advisory committee established pursuant to Section
24 52052.5 shall ~~determine~~ *recommend to the Superintendent and the*
25 *state board* all of the following:

26 (1) The length of time for which the accountability data on pupils
27 in alternative education programs shall be assigned to the school
28 and school district of residence pursuant to paragraph (1) of
29 subdivision (a).

30 (2) Whether it is appropriate to assign accountability data to the
31 school or the school district, pursuant to paragraph (1) of
32 subdivision (a), if the pupil never attended the school of residence
33 or has been absent for more than one year from the school district
34 of residence due to placement in another school or school district
35 or out of state.

36 (c) This section shall become operative only if local educational
37 agencies receive a per pupil allocation prior to the 2010–11 fiscal

- 1 year for implementation of the California Longitudinal Pupil
- 2 Achievement Data System established pursuant to Section 60900.

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